

REMARKS

Applicant wishes to thank the Examiner for his careful review of this application. Please reconsider this application in view of the above amendments and the following remarks.

Disposition of the Claims

Claims 15-28 and 30-41 were pending in the present application. Claims 15, 18-21, 24, 25, 28, 29, and 31-35 have been canceled by way of this reply. New claims 42-47 have been added. Thus, claims 16, 17, 22, 23, 26, 27, 30, and 36-47 are now pending in the present application.

Amendments to the Claims

Claims 16, 17, 22, 23, 26, 30, 37, and 39-41 were amended by way of this reply. Claim 26 has been rewritten into independent form, and the language regarding the depth of the intake and the discharge have been removed from the claim. Claims 16, 17, 22, 23, and 37 have been amended to depend from allowable claim 26, rather than canceled claim 15. Claim 30 has been amended to depend from allowed claim 36 rather than canceled claim 28. Claims 39-41 have been amended to depend from claim 30 rather than canceled claim 28. Claims 15, 18-21, 24, 25, 28, 29, and 31-35 have been canceled by way of this reply. New claims 42-47, corresponding to claims 16, 17, 22, 23, 37, and 38 but depending from allowed claim 27 rather than canceled claim 15, have been added. No new matter has been added.

Rejections under 35 U.S.C. § 112

Claims 15-26 and 28-35 were rejected under 35 U.S.C. § 112, first paragraph, for lack of written description for the negative limitation "not at the first depth." Claims 15, 18-21, 24, 25, 28, 29, and 31-35 have been canceled by way of this reply. The limitation has been

removed from the remaining claims. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 24 and 25 were rejected under 35 U.S.C. § 112, first paragraph, for failing to comply with the enablement requirement for reciting instrumentation and sensors for detecting depth of thermocline and plankton in the ocean. Claims 24 and 25 have been canceled. Thus, the rejection is now moot.

Rejections under 35 U.S.C. § 102(e) or 35 U.S.C. § 103(a)

Claims 15 and 28-30 have been rejected under 35 U.S.C. §102(e) or 35 U.S.C. §103(a) as being unpatentable over U.S. Application No. 6,658,889 ("Krylov"). Claims 15, 28, and 29 have been canceled, and claim 30 has been amended to depend from allowed claim 36. Thus, this rejection is now moot.

Rejections under 35 U.S.C. § 103(a)

Claims 28, 31, and 32 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Application No. 6,348,148 ("Bosley"). Claims 28, 31, and 32 have been canceled. Thus, this rejection is now moot.

Claims 15-23, 28-35, and 37-41 have been rejected under 35 U.S.C. §103(a) as being unpatentable over "PCS-Preussag Conversion Systems" ("Lampe") in view of U.S. Application No. 6,299,766 ("Permar") and/or Bosley. Claims 15, 18-21, 28, 29, and 31-35 have been canceled. Claims 16, 17, 22, 23, and 37 have been amended to depend from allowable claim 26, claim 30 has been amended to depend from allowed claim 36, and claims 39-41 have been amended to depend from now allowable claim 30. Claim 38 depends from now allowable claim 37. Thus, this rejection is now moot.

New Claims

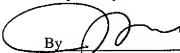
New claims 42-47 have been added by way of this reply. Claims 42-47 depend, either directly or indirectly, from allowed claim 27. Accordingly, claims 42-47 are allowable for at least the same reasons as allowed claim 27.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account No. 50-0591, under Order No. 17425/004002 from which the undersigned is authorized to draw.

Dated: April 4, 2008

Respectfully submitted,

By 

Jonathan P. Osha
Registration No.: 33,986
OSHA · LIANG LLP
1221 McKinney St., Suite 2800
Houston, Texas 77010
(713) 228-8600
(713) 228-8778 (Fax)
Attorney for Applicant